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LARSON NEWMAN ABEL POLANSKY & WHITE, LLP
5914 WEST COURTYARD DRIVE
SUITE 200
AUSTIN, TX 78730

EXAMINER

GUTMAN, HILARY L

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. The Reply Brief filed 6/2/08 has been noted by the examiner. Applicant's arguments have been fully considered but they are not persuasive. Applicant states that Merriam Webster's second definition of a "top" reads "the highest or uppermost region or part" and that the examiner relied on this definition to reject the claims. Further applicant argues that in both cases (the rejection under Swanson et al. '856 and the rejection under Schmeichel '512) there is a gap between the structure and the top of the wall and therefore the ledge 46 and the hooks 40 are not "highest or uppermost". However, the examiner disagrees. Specifically, the definition states the top must be the highest or uppermost "region or part". Using Merriam Webster's Collegiate Dictionary (10th edition) and looking further to the definition of the terms "region" and "part", one finds a "region" to potentially be "a broad geographical area distinguished by similar features" (definition 2b); "any of the major subdivisions into which the body or one of its parts is divisible" (definition 3a); or "an open connected set together with none, some, or all of the points on its boundary" (definition 6a); and finds a "part" to be "one of the often indefinite or unequal subdivisions into which something is or is regarded as divided and which together constitute the whole (definition 1a(1)). As broadly defined and interpreted wall of the trailer of Swanson et al. and Schmeichel can clearly be divided into regions or parts wherein an uppermost region thereof includes the ledge 46 and hooks 40, respectively. The ledge 46 and hooks 40 are indeed at the highest or uppermost region or part. Therefore the ledge 46 and hooks 40 are believed to be at the "top" of the wall of the trailer, as broadly recited in the applicant's current claim set.

The rejection is deemed proper.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hilary Gutman whose telephone number is 571-272-6662.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilary Gutman/
Primary Examiner, Art Unit 3612